IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the April 19th, 2006

Criminal Misc. Bail Application No.264 of 2006

Order on the bail application of accused

CRIMINAL SIDE

1. Arshad S/o Mumtaj
2. Farman S/o Kurban
   Both R/o village Ghodewali
   P.S. Jwalapur
   District Haridwar …Applicants

Versus

State of Uttaranchal … Opposite Party

Arising out of case crime No.44 of 2004
Sessions Trial No. 382/2004
Under Sections 302/34 IPC
P.S. Jwalapur
District Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Navneet Kaushik learned counsel for the applicants and learned A.G.A. for the State.

Perused the record. It was further contended that the present applicants were not chargesheeted by the police. The names of the applicants were disclosed at the time of trial and as such they were summoned. It was further contended that the FIR clearly shows that the accused Azad has fired upon the deceased. The present applicants have only assigned the role of catching hold to the deceased at the time of causing firearm injury. Considering the contentions, facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 19.04.2006 **(J.C.S. Rawat, J.)**

LSR